GOVERNMENT OF ANDHRAPRADESH

ABSTRACT

Public Servants – Prohibition & Excise Department – Allegation of Criminal Misconduct against B.Nagaveni, P&E Inspector, P&E Inspector, for her involvement in two liquor syndicate cases along with other P&E officials pertaining to Visakhapatnam District – Two cases entrusted to Tribunal for Disciplinary Proceedings – W.P.No. 17507 of 2021 fled by B.Nagaveni, P&E Inspector challenging the charge memos issued by the TDP in TEC Nos. 384/2013 and 355/2013 - TDP repealed, Cases entrusted to CoI – Inquiries not completed within time prescribed - Hon'ble High Court orders dated 24.02.2023 in W.P.No. 17507 of 2021 Implemented – Further action dropped against B.Nagaveni, P&E Inspector - Orders - Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No. 59 Dated: 29-01-2025

Read the following: -

1. From the D.G., ACB, Lr.Rc.No.69/RCO-WSP/2012,dt:12.11.2012 (Cr.No.5/RCO-ACB-VSP/2012)
2. From the D.G., ACB, Lr. Rc.No.12/RCO-WVP/2012, dt.08.10.2012 (Cr.No.2/RCO-ACB/VSP/2012)
3. Govt. Memo.No.51872/Vig.V(2)/2012-1, dated:16.01.2013.
4. Govt. Memo.No.46424/Vig.V(2)/2012-1, dated:16.01.2013
5. Tribunal for Disciplinary Proceedings Charge Memos in TEC Nos.355, dtd 30.08.2013 and 384 of 2013, dtd 15.11.2018.
6. Hon'ble High Court orders dated 24.02.2023 in 17507 of 2021 filed by B.Nagaveni, P&E Inspector.
7. Act 29 of 2022 to repeal the A.P.C.S.(Disciplinary Proceeding Tribunal) Act, 1960 and to provide for matters connected therewith or incidental thereto published in A.P.Gazettee, Part-IV-B Extraordinary No.29, Amaravati,dt.22.12.2022.
8. G.O.Ms.No.98 GA (Ser.E) Dept, dtd 18.08.2023.
9. G.O.Rt.No.378, Rev (Vig.IV) Dept, dtd 18.04.2023.
10. G.O.Rt.No.446, Rev (Vig.IV) Dept, dtd 03.05.2023.
11. From D.O.Lr.No.TC Peshi.7/COI – MKS/2023, dated:04.07.2024.
12. G.O.Rt.No.1109, GA (SC.F) Dept, dtd 24.06.2024
13. Contempt Case No CC 4211/2024 in WP No.17507 of 2021 filed by B.Nagaveni, P&E Inspector.

>><<

ORDER:

In the reference 1st & 2nd read above, the Director General, Anti-Corruption Bureau has furnished reports on certain allegations against Prohibition & Excise Officials involved in two liquor syndicate cases pertaining to Visakhapatnam district including B.Nagaveni, P&E Inspector. While she was working as SHO,

involved in two liquor syndicate cases as A.O.7 & A.O.8 along with other Prohibition & Excise officials in crime Nos. Cr.No.5/RCO-VSP/2012 & Cr.No.12/RCO-WVP/2012 respectively. The Director General, Anti-Corruption Bureau has recommended for placing on her defence before Tribunal for Disciplinary Proceedings (TDP) among others in two cases.

2. In the reference 3rd & 4th read above, Government was placed B.Nagaveni, SHO, on her defence before TDP among others in two cases and issued charges against her in two cases by the TDP vide reference 5th read above.

3. Whereas, B.Nagaveni, P&E Inspector was filed W.P.No.17507 of 2021 before the Hon'ble High Court challenging two charge memos and prayed for the action of respondents not concluding the disciplinary proceedings initiated vide TEC No 355, dtd 30.08.2013 and 384 of 2013, dtd 15.11.2018.

4. And whereas, the Government repealed the TDP and the cases pending before the Tribunal were transferred to the *Commissionerate of Inquiries* (COI) vide reference 7th & 8th read above. These consequences have been placed before the Hon'ble High Court by fling counter affidavit.

5. In the reference 6th read above, the Hon'ble High Court in its orders dated 24.02.2023 in W.P.No.17507 of 2021 by disposing the above W.P.
has passed the following orders (operative portion):

> *"Considering the facts and circumstances of the case and in view of the above discussion, the Commissionerate of Inquiries is directed to conclude the enquiry, within a period of six months from today, failing which the charge memo issued to the petitioner vide Tribunal Enquiry Case Nos.384 and 355 of 2013, which were transferred to the C.O.I, pursuant to G.O.Ms.No.98, dated 18.8.2022 shall stand quashed."*

6. In the reference 9th & 10th read above, Sri J.Satyanarayana, IPS (Retd.), Member, COI and Sri Manish Kumar Sinha, IPS, Member, COI were appointed as Inquiring Authorities in the two cases (TEC No. 355 of 2013 and TEC No 384 of 2013) of B.Nagaveni, P&E Inspector along with other P&E officials for conducting inquiry with direction to submit the inquiry report to the Government within (4) months. Presenting Officers in both cases appointed. Further, as the tenure of Sri J.Satyanarayana IPS (Retd) was completed by 15.05.2024, General Administration (CoI-R) Department have entrusted the case to Sri G.Mallikarjuna, IRS (Retd), Member, COI. However, Sri G.Mallikarjuna, IRS, (Retd), has tendered his resignation. The General Administration (SC.F) Department have accepted his resignation vide reference 12th read above.

7. Whereas, B.Nagaveni, P&E Inspector, has filed Contempt Case No. 4211 of 2024 praying that the Hon'ble Court may be pleased to summon the respondents for committing contempt of orders of the Hon'ble Court passed in W.P.No.17507 of 2021, dated 24.02.2023 passed by the Hon'ble Single Judge under section 10 to 12 of Contempt of Courts Act and pass such other order or orders as Hon'ble Court may deem fit and proper in the circumstances of the case.

8. Government, after careful examination of the entire matter has observed that as per the Hon'ble High Court orders, the inquiries were to be completed within six months, failing which the Charge Memos issued in TEC No.355 & 384 of 2013 shall stand quashed. Since the inquiries are not completed within the prescribed time frame, the charge memos (2) have been automatically quashed as per the Hon'ble High Court's orders. Accordingly, in accordance with the orders of the Hon'ble High Court, Government here by order to implement the orders dated 24.02.2023 of Hon'ble High Court passed in W.P.No.17507 of 2021 and drop further action against B.Navaveni, P&E Inspector in two departmental cases.

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUKESH KUMAR MEENA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The individual B.Nagaveni, P&E Inspector through Commissioner,
Prohibition and Excise, Andhra Pradesh, Mangalagiri, Guntur district.
The GA (COI-R) Department, Building No.5, A.P. Secretariat, Velagapudi.
The Transport Commissioner, APSRTC/COI(MKS), RTC Bhavan, Vijayawada.
The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada.
Copy to:
The Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance CommissionAndhra
Pradesh Secretariat, Velagapudi.
The Government Pleader for Services, Andhra Pradesh High Court, Amaravathi.
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER